

PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE
Of the
Suffolk County Legislature

Minutes

A regular meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **August 3, 2004**.

Members Present:

Legislator Angie Carpenter • Chairperson

Legislator Pete O'Leary • Vice•Chair

Legislator David Bishop

Legislator William Lindsay

Legislator Andrew Crecca

Legislator Daniel Losquadro

Legislator Lynne Nowick

Also In Attendance:

Mea Knapp • Counsel to the Legislature

Alexandra Sullivan • Chief Deputy Clerk/Suffolk County Legislature

Linda Bay • Aide to Presiding Officer Caracappa

Greg Moran • Press Secretary to Presiding Officer Caracappa

Doug Sutherland • Aide to Legislator Carpenter

Maria Ammiratti • Aide to Legislator O'Leary

Kevin LaValle • Aide to Legislator Losquadro

Terrene Pearsall • Aide to Legislator Lindsay

Carl Yellon • Aide to Legislator Crecca

Craig Trunz • Intern for Legislator Crecca

Jim Spero • Director/Budget Review Office

Rosalind Gazes • Budget Analyst/Budget Review Office

Ben Zwirn • Assistant County Executive

Adam Santiago • County Executive Assistant

Walter Denzler • Undersheriff/Suffolk County Sheriff's Office

Alan Otto • Chief of Staff/Suffolk County Sheriff's Office

Joseph Rubacka • Deputy Warden/Suffolk County Sheriff's Office

Aristades Mojica • Deputy Inspector/Chief Moore's Office

Doug Rilling • Deputy Inspector•6th Precinct/SCPD

Frank Luciano • Sergeant•Information Technology/SCPD

Jim Tobey • Civilian•Information Technology/SCPD

Angelo Todaro • Police Officer•Highway Patrol/SCPD.

Lou Dini • Sergeant•Highway Patrol/SCPD

Debbie Eppel • Public Information Office

Robert Kearon • Division Bureau Chief/District Attorney's Office

Vincent DeMarco • President/Deputy Sheriff's Benevolent Association

Robert Donnelly • Director/Information Services•County Exec's Office

Ray Gontasz • Information Services/County Executive's Office

Carol Makrides • Information Services/County Executive's Office

Ernie Mattace • Local 338

Emi Endo • Newsday.

All Other Interested Parties

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Minutes Taken By:

Alison Mahoney • Court Stenographer

(* The meeting was called to order at 11:34 AM*)

CHAIRPERSON CARPENTER:

All right, let us begin with the Pledge of Allegiance led by Legislator Lindsay.

Salutation

Thank you. I'm waiting to see members of the Department of Public Works because we had contacted them •• in fact, I said something to Charlie at an earlier meeting •• because we have a discussion scheduled on the modular units; so hopefully they will be here soon.

In the meantime, we received a memo from the County Attorney, Deputy County Attorney;

they sent over Bureau Chief Jacquelyn Caputi who wants to speak on Resolution 1568 and 1657. Ms. Caputi, if you would come forward, please. Thank you.

MS. CAPUTI:

May I take the podium?

CHAIRPERSON CARPENTER:

You can have a seat at the table.

MS. CAPUTI:

Good morning. Hi, I'm Jacqueline Caputi from the County Attorney's Office. We just wanted to put our comments on the record real quickly about these two bills. I have spoken, or my office has, with Legislator Cooper about them. We just have a concern that the intent, though it's very laudable, is preempted by the New York State Vehicle and Traffic Law because there are provisions in the New York Vehicle and Traffic Law that regulate both radar detectors and these MIRT devices. And the VTL is a very comprehensive statute that specifically states that it's intended to provide for uniform application throughout the State and there are specific prohibitions against radar detectors that only apply to commercial vehicles over 10,000 pounds or any vehicle over 18,000 pounds.

So the Law Department believes that the Local Law is preempted. And also, that would also apply to the MIRT devices as well since there is a VTL provision that provides that no person shall interfere with traffic control devices. That's all we wanted to say. Thank you very much.

CHAIRPERSON CARPENTER:

Okay, thank you. And I appreciate your comments because on the issue of the MIRTs, I had been given that same information and instead of preparing a Local Law, had prepared a Sense Resolution that was passed at this body.

Okay, I see the representative from •• they left you here alone, Tedd, huh? Do you want to come forward, please? And also, it would probably be helpful if the Sheriff's Department would come sit at the table, too.

Just to •• a quick recap of where we are. I guess back in the early spring •• actually prior to spring, it was the middle of March •• the Sheriff's people had come forward with the information about modular units and how it would be more cost effective to replace the temporary units that we have in Yaphank that had a projected life span of five years that we've been using for 20 with other temporary units; it would be a lot more cost effective to do that rather than shipping prisoners. And maybe you can go through the time line. We're going to try to do this on an expedited basis, too, just because we've got a special meeting scheduled for early this afternoon. So Undersheriff Denzler, perhaps you want to just give us a brief recap of where we are or what got us here.

UNDERSHERIFF DENZLER:

Okay. All of this happened •• actually, it was right around St. Patrick's Day when this all started to take place.

We had been boarding inmates out of the County in some small numbers since last year when we had 52 of our variances revoked by the State Commission as a result of the problem in dormitories 4 North and 4 South at Yaphank and that problem was a building up of effluent, if you will, underneath those dormitories to where the total amounted to I believe 4,000 gallons. That occurred because the concrete pans, if you will, that were built under the dormitories when similar leaks had occurred back in '98 filled up and the sump pump that was present in there which was designed to then pump that material out of those pans, the sump pump failed and the liquid continued to build up in there to where it resulted in 4,000. We became aware of it, of course, when the odor became so pronounced and then we found out what was causing it. As a result of that, the County Health Department came in and rendered those two living areas uninhabitable and we had to remove the inmates who were in those areas.

As a result of the action by the County Health Department, the State Commission of Corrections sent inspectors in to look at the place and they told us as well to remove all of the inmates as well as the workers from those areas. Subsequent to that, the area was sanitized, the County Health Department came back in, said it was fit for habitation, but the State Commission of Correction told us that they were not going to recertify those dorms as living space because of the ongoing problems in those two areas. Since that time we had been boarding inmates out at various locations in the State, namely Oneida County, Orange County, Putnam County and

Albany County. The numbers of inmates that we board out can fluctuate on a daily basis based on the housing needs that we have. So the amount of money that we're spending, some days it's exactly the same, others it fluctuates. Transportation costs which get built in will also vary depending upon how it is that we can send inmates up to those counties and how we can bring inmates back.

As an example, if we send up a group, a large group of inmates where we can put them on a bus we do that which is less expensive, for instance, than having to send up inmates one or two at a time and bring them back in a like manner. So again, the transportation costs will vary as well. I don't know what else I can tell you relative to the history.

CHAIRPERSON CARPENTER:

All right. Well, I just wanted to kind of have you establish the fact that this has been going on since mid spring.

UNDERSHERIFF DENZLER:

Yes.

CHAIRPERSON CARPENTER:

And there was communication back and forth that I know Legislators received copies of from the County Executive wanting to push for the purchase of the modulars in an expedited fashion which, although it's laudable, you know, this was not something that just happened. So we have a special meeting that was set up for this afternoon and this was really one of •• the main reason for setting up that special meeting so that we can move forward with the purchase.

There were some questions that were raised about whether or not we were going to bid on this and, Tedd, maybe you can address that. Because the County Executive did call a meeting in his office, invited all Legislators to attend, and I know the Sheriff's Department was there, very well represented and the Legislature, the County Legislature, Budget Office, Counsel. And the question was raised about whether or not bidding was going to be necessary because the resolution that the County Executive had drafted and he shared with us that day actually called for a specific manufacturer's unit, and perhaps you can now answer that.

MR. GODEK:

Yes it did. It called for •• sorry, okay. Yes, the resolution did call for a specific brand of structure, we are still investigating that. There apparently are other structures of similar nature out there. So the question becomes whether we can actually just go outright buy it or we, in fact, have to bid it, we are still looking into that. However, there are other aspects of the project that do have to be bid, that is the foundation work, the plumbing work, and those are more the critical path as far as the development of the overall project is concerned than the actual bidding and/or purchase of the structure itself.

CHAIRPERSON CARPENTER:

Okay. So I'm a little bit surprised to hear that there hasn't been a resolution to those questions totally about whether or not the bidding has to take place. Because when the County Executive did send over the resolution that specifically called for, I guess it was the sprung units and those were notably higher than the other two vendors that were listed, when that resolution was sent over here they had wanted a CN and unfortunately at that special meeting we had not scheduled that any CN's would be allowed for and as a courtesy, the Presiding Officer did note that if the County Executive's people reached out and an individual Legislator was willing to introduce a resolution and have it, you know, laid on the table, that that certainly would be a vehicle to expedite the process. And when I learned of that, as the Chairman of Public Safety, I did tell Mr. Zwirn that I would be happy to have that resolution laid on the table and I, in fact, instructed my aide to get the paperwork, namely the resolution that had been drafted by the County Executive's people and have that laid on the table. Since I was the one that was laying it on the table, we changed the name of the person introducing the resolution and laid that resolution on the table. So you can imagine how surprised I was to receive a rather chastising letter from the County Executive citing that the resolution that I had decided to introduce myself was flawed. So I'm not quite sure how we're going to address all of that.

But in the interim, I know that a lawsuit has been commenced. I had, at that meeting that the County Executive had in his office •• and I know Legislator Lindsay and Montano and Bishop and Foley were all in attendance, as well as representatives from many of the other Legislators because it was vacation time and there was very, very short notice. But in addition to the question of the bidding, I had wondered whether or not these would be certified if we brought in these units by the Commission of Corrections, so I did send a letter to the commission requesting that information and said that in the intervening couple of weeks, even though the County Executive wanted to move forward instantly, that these were questions that we needed

to have answered. And as evidenced this morning by the fact that the department is saying that they don't even have answers yet to whether or not we're bidding these, I guess that assessment of those three weeks that the County Executive felt would be wasted and I felt we could use productively to get answers to some questions sort of bore fruit. But I've been told and perhaps the department •• the Sheriff's Office can share that there's been some communication that indicates that because of this new pending lawsuit that they would not, in fact, certify modulars if we went forward and purchased them today.

UNDERSHERIFF DENZLER:

Well, we can't speak for the State Commission of Corrections. What has been communicated •• actually, the Sheriff has told me he has been requested to appear before the full Legislature in executive session today to discuss the lawsuit and the issues surrounding it, and he has told me that I should not address anything relative to this pending lawsuit, that the Sheriff of Suffolk County will speak to that issue to the full Legislature.

CHAIRPERSON CARPENTER:

Okay, that's fair. And based on everything that has been shared, then, unless someone has specific questions of anyone who is sitting at the table, I would say it's kind of fruitless to waste any more time going over this pending that discussion later this afternoon. Legislator Lindsay.

LEG. LINDSAY:

Yeah, just for the purpose of clarification. I'm the cosponsor on 1697 ••

CHAIRPERSON CARPENTER:

Right.

LEG. LINDSAY:

•• and from the original bill that we received from the County Executive, it has been modified now and the manufacturer's name has been taken out.

CHAIRPERSON CARPENTER:

That's a very good point and I'm glad you raised that, yes.

LEG. LINDSAY:

So it appropriates the money without a manufacturer's name which would necessitate it going

out for bid.

MR. KNAPPE:

That's correct.

CHAIRPERSON CARPENTER:

Exactly.

LEG. LINDSAY:

Which I think, you know, makes the whole thing very viable and makes the argument moot.

But the second point, and I know we'll discuss it in executive session, if we don't receive assurances that the modulars will be accepted by the State Corrections, why are we spending a million and a half dollars? You know, I think that's the more pertinent thing.

CHAIRPERSON CARPENTER:

Yeah. And again, I would say that I certainly was prepared to move forward with moving that resolution today, but I don't know if it would be appropriate.

UNDERSHERIFF DENZLER:

What I can say, when we had the initial discussions relative to those modulars, we were informed that the commission would have no problem with those units. How the pending lawsuit impacts what they will do relative to those issues, that I don't know.

CHAIRPERSON CARPENTER:

I'm sorry, Walter, if you could.

UNDERSHERIFF DENZLER:

What I said was when we were exploring these various units, we did have information and conversations with the commission that those units would be acceptable to them. However, with a pending lawsuit which involves that whole issue, I at this point don't know what impact that's going to have.

CHAIRPERSON CARPENTER:

Well, you know, again, I do not want this body, especially the Public Safety Committee, being characterized in any way, shape or form as trying to drag our heels or thwart the process in any way and gave assurances to the County Executive that we would do everything that we could to try to move the process forward. And maybe since, as Legislator Lindsay said, we did make the necessary corrections to the resolution, so that maybe what we could do is to discharge it without recommendation so that it would be eligible if after discussions this afternoon we feel that it's something we want to do, that we can do that. So that's about it. Is there anything else? Legislator O'Leary.

LEG. O'LEARY:

Yeah, I have a question. I'm looking at the statement of financial impact and that clearly delineates the cost to the County for housing inmates outside the County, but it doesn't indicate just how many inmates are currently being housed outside the County; do you have that number at hand?

UNDERSHERIFF DENZLER:

I don't know what it is today.

LEG. O'LEARY:

Does the number fluctuate depending on ••

UNDERSHERIFF DENZLER:

It fluctuates, last week it was like a hundred inmates, it goes 110, 100; it's been fluctuating around that hundred number.

LEG. O'LEARY:

All right. And I would have to assume, then, that that number would be fairly constant with some minor fluctuation ••

UNDERSHERIFF DENZLER:

Well, it could change drastically on any given day. We could be down around a hundred and all of a sudden the next day be up at 130 or 140 and, you know, it could drop back down.

LEG. O'LEARY:

Uh•huh.

UNDERSHERIFF DENZLER:

The number, it's significant in that we watch very closely; we only send people out when it's absolutely necessary to send them out and we bring them back as quickly as we can to, you know, reduce that expense.

LEG. O'LEARY:

The two facilities that you had alluded to earlier with the effluent problem, that's been resolved?

UNDERSHERIFF DENZLER:

Those are the units that had been closed down.

LEG. O'LEARY:

And they are still closed?

UNDERSHERIFF DENZLER:

Oh, absolutely.

LEG. O'LEARY:

Okay. And are these the people that we're talking about that are being housed elsewhere who would have been in those two structures?

UNDERSHERIFF DENZLER:

Not necessarily, it depends on •• again, now we start getting into the whole classification process within the jail. It may involve, it most likely would involve all of those people. But as an example, we house, sometimes we have females housed outside the County. There are no females normally housed over in Yaphank, but we could have females housed outside the County because the area that we have for females we don't have space, which is in Riverhead and then we would have to send people outside. Right now, as far as I know right now we just have males housed outside who most likely would have been over in Yaphank.

LEG. O'LEARY:

Would these two temporary structures that is part of the resolution, what are they called?

CHAIRPERSON CARPENTER:

Modulars.

LEG. O'LEARY:

Modulars, yeah; if constructed, would these then handle that particular problem of housing?

UNDERSHERIFF DENZLER:

Yes.

LEG. O'LEARY:

All right. And what sort of time frame are we talking about, best case scenario, if we were to move forward with this project?

UNDERSHERIFF DENZLER:

I'd have to defer to DPW.

MR. GODEK:

Best case scenario, we're looking at in the vicinity of seven months.

LEG. O'LEARY:

Seven months; so for at least the next seven months we're going to be housing inmates outside the County.

UNDERSHERIFF DENZLER:

Yes. And one of the things that we had pointed out at the meetings that we have had, at the meeting with the County Executive and the Legislature and DPW when we were discussing these units, we were very specific in saying we didn't want anybody to think that by doing this it would totally eliminate housing inmates outside the County.

LEG. O'LEARY:

Well, we were housing ••

UNDERSHERIFF DENZLER:

But it would greatly reduce the number that we'd have to house outside, absolutely.

LEG. O'LEARY:

That's the important point. I mean, we were housing inmates outside the County when these two structures were being occupied.

UNDERSHERIFF DENZLER:

Correct, correct.

LEG. O'LEARY:

But the size of these projected structures would handle sufficiently the numbers that we currently house outside the County plus the current population?

UNDERSHERIFF DENZLER:

As long as those people fit the classification, you know, to be able to send them over there, yes.

LEG. O'LEARY:

Okay, thank you.

CHAIRPERSON CARPENTER:

And, too, I think it's also important to state that this does not in any way have anything to do with the construction of the jail.

UNDERSHERIFF DENZLER:

Two totally separate issues.

CHAIRPERSON CARPENTER:

Exactly, okay. Legislator Bishop.

LEG. BISHOP:

Good morning. The existing modulares that are now shut down, are they repairable, are they rehabilitatable?

UNDERSHERIFF DENZLER:

The State Commission has told us they will not certify those units as legal housing space.

LEG. BISHOP:

Do they identify specific reasons why not?

UNDERSHERIFF DENZLER:

There was a communication from them which cited repeated problems over a period of years relative to those units.

LEG. BISHOP:

Are they the same age as other units that we have or are they the oldest; is there a shelf life to these things, or how does that work?

UNDERSHERIFF DENZLER:

I believe they're the only ••

MR. GODEK:

Those are the only modular•type units that we have and those were done, I believe, back around '87 or '88.

LEG. BISHOP:

I was under the impression that there were more than just those. What are the other temporary ••

UNDERSHERIFF DENZLER:

No, you have •• what you've got over in Yaphank, there are other additions that were added to the building but they were not of a modular•type nature; I think that's correct, isn't it?

MR. GODEK:

That is correct, yes.

LEG. BISHOP:

And have those ever been shut down temporarily for repairs?

UNDERSHERIFF DENZLER:

Well, routinely over the years different units within the jail, both in Riverhead and Yaphank, will be closed down, you know, for repair work, maintenance work.

LEG. BISHOP:

Does the Sheriff's Office have an opinion as to whether these are repairable?

UNDERSHERIFF DENZLER:

No.

LEG. BISHOP:

Why not?

UNDERSHERIFF DENZLER:

It's not a matter of the Sheriff's Office having an opinion of whether it's repairable or not, it's a matter of what the State Commission will approve or not approve relative to housing of inmates.

LEG. BISHOP:

Well, you're the ones who are there every day, I would assume that the State Commission is rationale and they would say, "What do you think?"

UNDERSHERIFF DENZLER:

The State Commission has the authority to determine and they're the ones •• the State Commission, when you build a brand new jail, if it's not built the way it's supposed to be built, could just tell you can't put inmates in it; they have that authority. And the State Commission •

LEG. BISHOP:

Well, of course, but I'm not asking you about the State Commission's authority, I'm asking you about the management of the jail, how they feel about the facility. Do you feel that the facility is repairable?

UNDERSHERIFF DENZLER:

That's not •• that doesn't come within the purview of the Sheriff to say whether it's repairable or not.

LEG. BISHOP:

You mean that if I look through the minutes of all the previous testimony, you don't offer chapter and verse telling me that we need a new jail, that the current conditions of the current facility are very poor. So obviously you're offering it in that circumstance, I'm asking you to make a similar evaluation with regard to this facility.

CHAIRPERSON CARPENTER:

If I could interrupt, I'm going to ask Counsel, I don't know if pending this lawsuit that this is territory that we should be venturing down.

LEG. BISHOP:

That's ••

CHAIRPERSON CARPENTER:

Counsel?

LEG. BISHOP:

Well, I'm going to object to the objection. These are policy questions and I'm asking you as a policy maker, you know, to management, what is your opinion of that facility; is it •• should we just knock it down or can we rehabilitate it? If not for prisoners, is there other uses that we can use it for, do you think we can do storage there; what is the condition of it? Your people are in there, you know, what is your evaluation of it?

UNDERSHERIFF DENZLER:

We're of the feeling that it could be used for storage, yes.

LEG. BISHOP:

Okay. So that it is viable as a structure, clearly.

UNDERSHERIFF DENZLER:

Not for inmates.

LEG. BISHOP:

Right; okay, it's viable as a structure. When DPW repaired it, the sump pump was put back on line and the water was pumped out; what was the result afterward? What do we have there now, is it uninhabitable?

UNDERSHERIFF DENZLER:

Yes, it is uninhabitable •• the commission has decertified its use, that means since they've decertified the use ••

LEG. BISHOP:

I fell into the trap of you're going to give me what the commission says; I'm not looking for the commission.

UNDERSHERIFF DENZLER:

I'm sorry, Legislator.

LEG. BISHOP:

I'm looking for your evaluation; not you personally but your office's.

UNDERSHERIFF DENZLER:

A lawsuit has been filed by the County against the State Commission relative to the use of those units and I will not comment on it here.

LEG. BISHOP:

Okay, so you're not supporting the County's lawsuit.

UNDERSHERIFF DENZLER:

The Sheriff will address all issues relative to that lawsuit in executive session with the full Legislature.

LEG. BISHOP:

Okay. And •• but the building is suitable, it does stand and it would be suitable for other uses should the •• outside of the commission's purview; so if we take the commission out of the equation we have a building that we can use.

UNDERSHERIFF DENZLER:

It is inside the jail so it always falls within the purview of the commission.

LEG. BISHOP:

Okay. So •• so even for storage of records or storage of items, you ••

UNDERSHERIFF DENZLER:

The Sheriff uses space quite frequently that's not suitable or certified for inmate housing for other purposes in the Sheriff's Office.

LEG. BISHOP:

Okay. Thank you very much.

CHAIRPERSON CARPENTER:

Those of us from the Public Safety Committee who took the tour of the facility, I for one would say it isn't suitable for anything except demolition.

Let us move then to the agenda.

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TABLED RESOLUTIONS

1568•04 • Adopting Local Law No. 2004, A Local Law to ban the purchase, sale and use of Mobile Infra•Red Transmitters (MIRT's) in Suffolk County (Cooper). The public hearing on this resolution has been closed. Is there a motion?

LEG. O'LEARY:

Motion.

CHAIRPERSON CARPENTER:

Motion by Legislator O'Leary, second by Legislator Nowick. All those in favor? Opposed? **The resolution is approved (VOTE: 7•0•0•0).**

IR 1582•04 • To streamline Emergency Medical Services (EMS) coordination and improve response time (Bishop). Legislator Bishop, what's your pleasure?

LEG. BISHOP:

Table, please.

CHAIRPERSON CARPENTER:

Motion to table, second by myself. All those in favor? Opposed?

The resolution is tabled VOTE: 7•0•0•0).

TABLED SENSE RESOLUTIONS

We have a Sense Resolution, ***Sense 57•2004 • Memorializing Sense Resolution requesting State and Federal Officials to enforce existing laws to recover lost tax revenue (Caracciolo).*** Do we have a motion? Motion to table.

LEG. O'LEARY:

Second.

CHAIRPERSON CARPENTER:

All those in favor? Opposed? ***The resolution is tabled (VOTE: 7•0•0•0).***

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INTRODUCTORY RESOLUTIONS

1657•04 • Adopting Local Law No. 2004, a Local Law to prohibit the use of radar detectors in Suffolk County (Cooper). That resolution has to be tabled pending the public hearing .

LEG. O'LEARY:

Motion to table.

LEG. LOSQUADRO:

Second.

CHAIRPERSON CARPENTER:

Motion to table by Legislator O'Leary, second by Legislator Losquadro. All those in favor? Opposed? ***The resolution is tabled***

(VOTE: 7•0•0•0).

1661•04 • Amending the 2004 Capital Program and Budget and appropriating funds for the purchase of furniture and equipment for the new 6th Precinct (CP 3184.510) (Caracappa).

LEG. LOSQUADRO:

Motion.

CHAIRPERSON CARPENTER:

Motion by Legislator Losquadro, second by myself. All those in favor?

LEG. BISHOP:

On the motion.

CHAIRPERSON CARPENTER:

On the motion.

LEG. BISHOP:

It's amending the Capital Budget. Is there an offset, Jim?

MR. SPERO:

It's the Legislature's infrastructure project that's used as the offset, 1755, project 1755.

LEG. BISHOP:

Right. And how much is left in that account? How much is this resolution for?

MR. SPERO:

This resolution is 150,000, let me ••

LEG. BISHOP:

And that's an account with several million, right?

MR. SPERO:

We had 3.5 million budgeted.

LEG. BISHOP:

For '04.

MR. SPERO:

I'll tell you in a second how much should be left. If the resolution appropriating \$1.5 million for the modular units is approved, there would be a balance of \$513,000 in that project.

LEG. BISHOP:

That's it, 513, so we're getting to the bottom.

LEG. LOSQUADRO:

Without it that's over two million.

LEG. BISHOP:

Okay.

CHAIRPERSON CARPENTER:

And also a resolution passed out of Public ••

LEG. BISHOP:

Do you know, are there other drawdowns pending, are we into an oversubscription area or ••

MR. SPERO:

There are but we've taken those into account.

LEG. BISHOP:

Okay, very good. Thank you.

CHAIRPERSON CARPENTER:

Does that include the resolution that was passed in Public Works this morning for the Vanderbilt?

MR. SPERO:

Correct.

CHAIRPERSON CARPENTER:

Okay, thank you. All right, we have a motion and a second. All those in favor? Opposed? ***The resolution is approved (VOTE: 7•0•0•0).***

1667•04 • Amending the 2004 Capital Budget and Program and appropriating funds in connection with the acquisition of a storage area network (CP 1728) (Presiding Officer at the Request of the County Executive). I'll make that motion.

LEG. O'LEARY:

Second.

CHAIRPERSON CARPENTER:

Second by Legislator O'Leary. All those in favor?

LEG. BISHOP:

Same question. These are all amending •• all these amending the Capital Budget we're going to ask •• I'm going to at least ask about the offsets.

MR. KNAPPE:

I believe this resolution, as well as a couple of other computer related resolutions, are a change in the method of financing from G to B; I'll defer to Budget Review to correct me on that.

MR. SPERO:

Yeah, Ken is correct, there's no offset on this resolution; it's changing the funding from pay•as •you•go to serial bonds and will require 14 votes for adoption on the floor of the Legislature.

LEG. BISHOP:

Okay, thank you.

CHAIRPERSON CARPENTER:

Okay, we have a motion and a second. All those in favor? Opposed?

LEG. BISHOP:

Opposed.

CHAIRPERSON CARPENTER:

The resolution is approved (VOTE: 6•1•0•0 Opposed: Legislator Bishop).

1668•04 • Amending the 2004 Capital Budget and Program and appropriating funds in connection with the acquisition of a Fault Tolerant Enterprise Firewall Service (CP 1779) (Presiding Officer at the Request of the County Executive). This, too, is computer related and I'll make that motion. Is there a second?

LEG. O'LEARY:

Second.

CHAIRPERSON CARPENTER:

Second by Legislator O'Leary. All those in favor? This, too, does not require an offset, correct?

MR. SPERO:

This is also changing the method of funding from pay•as•you•go to serial bonds.

CHAIRPERSON CARPENTER:

All right, we have a motion and a second. All those in favor? Opposed? ***The resolution is approved (VOTE: 6•1•0•0 Opposed: Legislator Bishop).***

1669•04 • Amending the 2004 Capital Budget and Program and appropriating funds in connection with the acquisition of a Dedicated Oracle Server (CP 1781) (Presiding Officer at the Request of the County Executive). Same motion, same second, same vote. ***Approved***
(* * Legislator Bishop later recorded his vote as an abstention)

(VOTE: 6•0•1•0 Abstained: Legislator Bishop).

1688•04 • Adopting Local Law No. 2004, a Local Law to establish a seizure procedure to stop child pornography (Crecca). That is a Local Law, we have to have a public hearing.

LEG. CRECCA:

Motion to table.

CHAIRPERSON CARPENTER:

So we have a motion and a second to table pending a public hearing. **Tabled (VOTE: 7•0•0•0).**

1697•04 • Amending the 2004 Capital Budget and Program and appropriating funds in connection with the reduction of inmate transportation and out•of•County housing costs via purchase and installation of a modular stressed membrane sprung structure at Yaphank Correctional Facility (CP 3009) (Carpenter). This is the resolution that we've had discussion on. I'm going to make a motion to discharge without recommendation.

LEG. O'LEARY:

Second.

CHAIRPERSON CARPENTER:

Second by Legislator O'Leary. All those in favor? Opposed?

The resolution is approved **(Discharged without recommendation VOTE: 7•0•0•0).**

And I would just like to ask if there's anyone here from the Commissioner's Office; I don't see anyone. I'm a little bit disappointed that we don't have someone here from the Police Commissioner's Office, we've got many issues out there public safety wise, many things have been happening in light of heightened public safety homeland security ••

LEG. LINDSAY:

You have someone here, he raised his hand.

CHAIRPERSON CARPENTER:

•• alerts and I just feel that •• did someone raise their hand that they're here from the Commissioner's Office?

DEPUTY INSPECTOR MOJICA:

From the Chief of Department's Office for Chief Moore.

CHAIRPERSON CARPENTER:

Okay, do you want to come forward?

DEPUTY INSPECTOR MOJICA:

Sure.

CHAIRPERSON CARPENTER:

Gentlemen, thank you very much.

LEG. LINDSAY:

Madam Chair, while the officer is getting himself comfortable, and it's something that Legislator O'Leary did at the last meeting, because we're safety I feel it should be done here; we lost three officers in Suffolk County since the last meeting, we probably should have a moment of silence we should have had at the beginning.

CHAIRPERSON CARPENTER:

Okay. Well, I think perhaps what we'll do is do that at the full meeting at one clock. Thank you.

If you could just identify yourself?

DEPUTY INSPECTOR MOJICA:

It's Deputy Inspector Arostides Mojica, that's M•O•J•I•C•A, and I'm representing the Chief of Department's Office.

CHAIRPERSON CARPENTER:

Okay, and that is Chief Moore?

DEPUTY INSPECTOR MOJICA:

Chief Moore, correct.

CHAIRPERSON CARPENTER:

Okay. I don't know if you're prepared to answer any of the questions that Legislators may have referring to staffing issues in the Precincts and so forth. Generally we've had •• this Public Safety Committee I guess has been spoiled over the years and has had the Commissioner and the Deputy Commissioner present, as well as Chiefs. And certainly no slight to you, I'm happy that you're here this morning and perhaps you can take that message back.

DEPUTY INSPECTOR MOJICA:

Certainly.

CHAIRPERSON CARPENTER:

Does anyone have any questions? I don't know if that would be fair to put you on the spot so we'll just leave it at that.

DEPUTY INSPECTOR MOJICA:

The only thing I can say, maybe just a very general from just obviously being there every day. With these issues of homeland security and all, the department is definitely on top of it. I see the day•to•day when something comes •• whether information has come in or whether we're developing information independently and then sharing it with other agencies, you know, I'm pretty confident that the things that have to get done are getting done. Do I have the personal knowledge to get into the absolute details? No.

CHAIRPERSON CARPENTER:

Okay.

DEPUTY INSPECTOR MOJICA:

But my general experience from day•to•day is that people are doing what •• the department is doing what needs to be done, they get the job done.

CHAIRPERSON CARPENTER:

Okay. All right, thank you very much for being here, I appreciate that. And if you could take that message back.

DEPUTY INSPECTOR MOJICA:

Certainly.

CHAIRPERSON CARPENTER:

Thank you. The meeting is adjourned.

(*The meeting was adjourned at 12:09 P.M. *)

Legislator Angie Carpenter, Chairperson

Public Safety & Public information Committee

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